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ATTORNEY DOCKET 298-278

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Thilo Weitzel

Examiner: Turner, Samuel A.

Serial No.: 10/521,516

Group Art Unit: 2877

Filed: January 18, 2005

Date: January 2, 2008

For: **APPARATUS AND METHOD FOR USE IN OPTICAL SPECTROSCOPY**

**Mail Stop AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed on the attached form PTO-1449 is brought to the attention of the Examiner. Copies of the listed items are enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art.

The items listed are submitted in good faith, but are not intended to be a substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

CERTIFICATION UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 2, 2008.

Dated: January 2, 2008

  
George M. Kaplan

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The listed items were cited in an Office Action ( enclosed) mailed November 30, 2007 by the European Patent Office in a counterpart European application. WO 00/62026 has been previously made of record and not listed upon accompanying Form PTO-1449, while English Abstracts of FR2782383 and NL 1014807 are enclosed, with an approximate English translation of the Abstract and Claim 1 of DD 298893 also enclosed, thus satisfying the requirement for a concise explanation of relevance in English in accordance with M.P.E.P. § 609.04(a)III.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application.
- ☐ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☒ Enclosed herewith is a certificate under 37 C.F.R. § 1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. § 1.97(d)(ii).
- ☐ Enclosed by check is the petition fee of \$130.00. 37 C.F.R. § 1.17(i)(1))
- ☐ Please charge the **\$130.00** petition fee to Deposit Account No. **04-1121**.
- ☒ Enclosed by check is the **\$180.00** fee required by 37 C.F.R. § 1.17(p).
- ☐ Please charge the **\$180.00** fee required by 37 C.F.R. § 1.17(p) to Deposit Account No. **04-1121**.

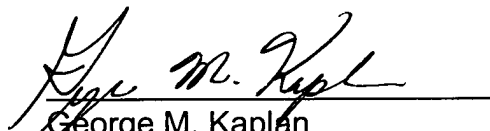
[X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 04-1121. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121 therefor. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

**CERTIFICATE UNDER 37 C.F.R. § 1.97(E)(1)**

Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,

  
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